Appendix I.

[Vide answer to starred question No. 574 asked by Sri M. Kalyanasundaram at the meeting of the Legislative Assembly held on 8th February 1955, page 93 supra.]

The right of collecting fees from the vendors in the Gandhi Market during the year 1954–55 has been leased out to a person named Nataraja Pillai. Six vegetable vendors refused to pay the fees due to the lessee for the stalls occupied by them and also filed a civil suit against the lessee. The suit was dismissed and the plaintiffs came to an arrangement with the lessee whereby they agreed to deposit 15 days' fees in advance at a time with effect from 6th July 1954.

The vendors did not pay the fees on the stipulated dates. They were therefore evicted from their stalls by the lessee on 19th July 1954 with the aid of the police. The vendors however attempted to enter the market and create disturbances. Thereupon the lessee moved the Stationary Sub-Magistrate, Tiruchirappalli Town, to prohibit the vendors from entering the market. The petition was sent to the Sub-Inspector of Police, Palakarai, for investigation and report. The Sub-Inspector reported that the situation was highly inflammable and that there was an imminent breach of the peace and that the situation warranted the issue of an order under section 144, Criminal Procedure Code. Thereupon the Stationary Sub-Magistrate passed an ex-parte order under section 144 (1), Criminal Procedure Code, in his M.C. No. 36 of 1954 prohibiting the vendors from entering the Gandhi Market and interfering with the activities of the contractor M. V. Nataraja Pillai. When the matter was taken up in revision the Sub-divisional Magistrate, Tiruchirappalli, slightly modified this order by directing that the vendors should not interfere with the activities of Nataraja Pillai in the course of his normal duties as municipal contractor within the premises of Gandhi Market.

After this Sri Nataraja Pillai leased out the stalls to other vendors. However, on 15th September 1954 the six vendors who had been evicted earlier encroached upon the very same stalls from which they had been evicted and gave trouble to the new occupants. On 23rd September 1954 Sri Nataraja Pillai applied for police help for removing the six vendors from the stalls which they had occupied unauthorizedly. The Sub-Inspector went to the market and found that all the six stalls had been occupied either by the evicted vendors or their relatives and supporters. The occupants made it clear that they would resist their being evicted. It was also clear that, if the eviction was to be effected, there would be a serious breach of the public peace.

On 24th September 1954, the Sub-Inspector sent a report to the Stationary Sub-Magistrate, Tiruchirappalli, about what had occurred at the market the previous day when he had gone to

evict the vendors. The same day, one of the six vendors who were in unauthorized occupation of the stalls named Arunachalam, presented a petition to the Stationary Sub-Magistrate praying for the issue of an order under section 144, Criminal Procedure Code, against the lessee Sri Nataraja Pillai 'restraining him from interfering with the lawful occupation as a vendor in the Gandhi Market.' The Stationary Sub-Magistrate obtained the Sub-Inspector's report on this petition also. After considering the reports of the Sub-Inspector as well as his sworn statement the Stationary Sub-Magistrate promulgated an order under section 144 (1), Criminal Procedure Code, in his M.C. No. 47 of 1954 restraining the vendors who were in unauthorized occupation of the stalls as well as their relations and friends who were supporting and instigating them—eighteen persons in all—from vending their wares in the Gandhi Market or interfering with the lawful and normal activities of Sri Nataraja Pillai.

In view of the urgency this order was also passed ex-parte.

APPENDIX II.

[Vide answer to starred question No. 577 asked by Sri P. Rangaswami Reddiar at the meeting of the Legislative Assembly held on 8th February 1955, page 96 supra.]

On 29th March 1954, a few articles of jewellery were stolen from the house of Gangadaran, the then Sub-Inspector of Police, Panayapatti. A person named Ramiah Servai who was suspected was brought to the police station on the afternoon of 30th March 1954, and was kept under confinement for about 20 or 25 days and tortured. This Ramiah implicated one Karuppiah Asari in the theft case. Thereupon, Karuppiah Asari was brought to the police station on 1st April 1954 and the Sub-Inspector of Police tortured him also. The next day he was released when the village munsif of Kottur gave an undertaking to produce Karuppiah whenever required, but he was asked to sleep at the police station during nights. From 16th April 1954 onwards, he was asked to stay in the station day and night. On 19th April 1954 and 20th April 1954 the Sub-Inspector beat the two persons, viz., Karuppiah and Ramiah severely. Karuppiah appears to have confessed to the Sub-Inspector that he had kept the stolen jewels beneath a grinding stone in his house at Kulamangalam. The Sub-Inspector wanted to take Karuppiah to Kulamangalam on a bicycle and recover the stolen property. Karuppiah was unable to ride the bicycle and he fell down. Thereupon he was taken inside the police station and beaten again. As a result of the beating, he died at about 4 p.m. on 20th April 1954. With the help of a forest guard and some private individuals, the Sub-Inspector had the body buried secretly in a place known as 'Ayyan Kanmoi Kalai' the same night.

On 21st April 1954, Subbiah Asari, a brother of the deceased, sent a telegram to the District Superintendent of Police and gave a petition to the Joint Magistrate, Pudukottai, who was holding